

REMARKS

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2 Applicant requests a change of the status of the office action to
3 be NON-FINAL. This is because the Claim Rejections - 35 USC §
4 101, are a new basis of rejections, and were not necessitated by
5 any applicant's amendment in a response to a previous office
6 action. Thus the office action should be classified as
7 NON-FINAL.

8

*The office action states:**Claim Rejections - 35 USC § 101*

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Claim 1, 10, 23, 29, 31, and 35, because language appears abstract, ...

10 Applicant's representative respectfully traverses the grounds of
11 rejection. There appears to be patentable matter in all claims
12 as they stood before this response. Applicant's representative
13 is of the opinion that the invention as claimed is not "an
14 abstract idea that is not tied to a technological art,"
15 as stated in the office action. But indeed it produces a result
16 employable in applications, including digital signature schemes.
17 Besides, 35 USC § 101 apparently does not make the grounds stated
18 in the office action for the 101 rejection, a requirement for
19 patentability. So all claims are allowable as they stand before
20 this response.

21 Applicant's representative respectfully requests the patent
22 office to cite a statute or court decision which validates a 35
23 USC § 101 rejection of claims based on being "directed to merely
24 to an abstract idea that is not tied to a technological art,
25 environment or machine which would result in a concrete, useful,
26 and tangible result" Especially in light that the
27 claims in the present invention apparently meet this criteria. A
28 key-pair, a TCR commitment, etc., are extremely useful. The 35
29 USC § 101 rejection is apparently contrary to the decision of the
30 U.S. Court of Appeals for the Federal Circuit in 'AT&T Corp. v.

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1 Excel Communications Inc., ' 172 F.3d 1352 (Fed. Cir. 1999), and
2 'State Street Bank and Trust Co. v. Signature Financial Group
3 Inc., ' 149 F.3d 1368, 47 USPQ 2d 1596 (Fed. Cir. 1998).

4 Even though the Office Action rejection is traversed, this
5 response includes amendments to the claims, made in order to
6 bring the application to allowance more quickly. The amendments
7 more particularly overcome the 35 USC 101 rejection in the office
8 action. A listing of the claims is provided as required in the
9 new USPTO amendment practice per 37 CFR 1.121.

10 Applicant respectfully states that in order to more quickly
11 overcome the 101 rejections, Claims 1, 10, 23, 29, 31, and 35, are
12 amended to even better tie them to a practical application
13 producing a tangible result. Thus claims 1, 10, 23, 29, 31, and
14 35, and all claims that depend thereupon are allowable. Thus,
15 Claims 1-31, 33, 35-44 are allowable. Claims 32 and 34 were
16 previously canceled. Also new claims 45-47 are allowable.

17 Claim 45, which is a copy of original claim 1 is added. Claim
18 46, which is a copy of original claim 10 is added. Claim 47,
19 which is a copy of original claim 29 is added. These are added
20 to maintain the protection of the original claims for the
21 applicant, in light of the traversal of the claim rejections
22 based on 35 USC § 101.

23 It is anticipated that this amendment brings the application to
24 allowance, and favorable action is respectfully solicited. In
25 the unlikely event that any claim remains rejected, please
26 contact the undersigned by phone in order to discuss the
27 application.

1 Please charge any fee necessary to enter this paper to deposit
2 account 09-0468.

3 Respectfully submitted,

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The diagram illustrates a network structure with nodes and connections. The nodes are numbered 1 through 44, with some nodes marked with 'M' or 'II'. The connections are as follows:

- Node 1 is connected to nodes 15, 2, 3, 4, 5, 6, 7, 8, 9, 17, 18, and 20.
- Node 2 is connected to node 3.
- Node 3 is connected to node 4.
- Node 4 is connected to node 5.
- Node 5 is connected to node 6.
- Node 6 is connected to node 7.
- Node 7 is connected to node 8.
- Node 8 is connected to node 9.
- Node 9 is connected to node 10.
- Node 10 is connected to nodes 11, 12, 13, 14, 15, 16, 17, 18, and 19.
- Node 11 is connected to node 12.
- Node 12 is connected to node 13.
- Node 13 is connected to node 14.
- Node 14 is connected to node 15.
- Node 15 is connected to node 16.
- Node 16 is connected to node 17.
- Node 17 is connected to node 18.
- Node 18 is connected to node 19.
- Node 19 is connected to node 20.
- Node 20 is connected to node 21.
- Node 21 is connected to node 22.
- Node 22 is connected to node 23.
- Node 23 is connected to node 24.
- Node 24 is connected to node 25.
- Node 25 is connected to nodes 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44.
- Node 26 is connected to node 27.
- Node 27 is connected to node 28.
- Node 28 is connected to node 29.
- Node 29 is connected to node 30.
- Node 30 is connected to node 31.
- Node 31 is connected to node 32.
- Node 32 is connected to node 33.
- Node 33 is connected to node 34.
- Node 34 is connected to node 35.
- Node 35 is connected to node 36.
- Node 36 is connected to node 37.
- Node 37 is connected to node 38.
- Node 38 is connected to node 39.
- Node 39 is connected to node 40.
- Node 40 is connected to node 41.
- Node 41 is connected to node 42.
- Node 42 is connected to node 43.
- Node 43 is connected to node 44.

Additional markings include 'M' next to nodes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44. 'II' is marked next to nodes 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44. A note 'Computer program' is written near node 25.

